

JOHN J. HOFFMAN  
ACTING ATTORNEY GENERAL OF NEW JERSEY  
Division of Law  
124 Halsey Street, 5th Floor  
P.O. Box 45029  
Newark, New Jersey 07101  
Attorney for the Board of Nursing

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION	:	
OR REVOCATION OF THE LICENSE OF	:	
	:	Administrative Action
Kathleen Hoffman, L.P.N.	:	
License No. 26NP04979400	:	FINAL ORDER
	:	OF DISCIPLINE
TO PRACTICE NURSING	:	
IN THE STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information which the Board has reviewed and upon which the following preliminary findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Kathleen Hoffman ("Respondent") is a licensed practical nurse (L.P.N.) in the State of New Jersey and has been a licensee at all relevant times.

2. Respondent's New Jersey license to practice nursing expired on May 31, 2004 and was reinstated by Order of Reinstatement of License filed on March 11, 2011. The Order

required that Respondent remain enrolled in and compliant with the Board's designated intervention program - the Recovery and Monitoring Program of New Jersey - until successful completion of or release from that program.

3. Respondent was arrested on October 17, 2011, by members of the Freehold Township Police Department and charged with violating N.J.S.A. 2C:20-11(b)(2) (Shoplifting). On January 18, 2012, Respondent pled guilty to the downgraded charge of violating N.J.S.A. 2C:20-3A (Theft by Unlawful Taking or Disposition) and was sentenced to thirty (30) days of suspended confinement, and assessed fines, penalties, and costs of seven hundred and fifty-eight dollars (\$758.00).

4. On May 29, 2012, Respondent completed an online application to renew her nursing license and answered "no" to the question which asked whether she completed the thirty hours of required continuing education during the June 1, 2010 - May 31, 2012 biennial period.

#### CONCLUSIONS OF LAW

Respondent's guilty plea to theft by unlawful taking or disposition constitutes a violation of N.J.S.A. 45:1-21(f), as Respondent has been convicted of, or engaged in acts constituting, a crime or offense relating adversely to the

practice of nursing.

Pursuant to N.J.A.C. 13:37-5.3(b), a nurse shall complete a minimum of 30 hours of continuing education per biennial period. Additionally, pursuant to N.J.A.C. 13:37-5.3(f) a nurse shall maintain continuing education compliance documentation for a period of four years after completion of the hours and shall submit such documentation to the Board upon request.

Respondent failed to complete 30 hours of required continuing education during the June 1, 2010 - May 31, 2012 biennial period. The Board therefore finds Respondent in violation of N.J.A.C. 13:37-5.3, which the Board deems professional misconduct within the intendment of N.J.S.A. 45:1-21(e) and also constitutes a violation or failure to comply with a regulation administered by the Board within the intendment of N.J.S.A. 45:1-21(h).

#### DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline ("POD") seeking suspension until Respondent demonstrates completion of her continuing education requirements, imposing a civil penalty in the amount of two-hundred and fifty dollars (\$250), requiring the she continue to participate in RAMP, and imposing a reprimand was entered on

June 3, 2014. The POD was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless Respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor.

Ms. Hoffman responded to the POD and documented timely completion of the required continuing education hours for the 2010-2012 and 2012-2014 renewal periods. The Board was persuaded that the submitted materials merited modification of the penalty and concluded that Ms. Hoffman's license should not be suspended and the \$250.00 civil penalty should not be imposed.

However, the Board has determined that Ms. Hoffman's guilty conviction of theft by unlawful taking or disposition is an act that is adverse to the practice of nursing, and notwithstanding her explanation of the events surrounding the conviction, warrants that the reprimand be imposed.

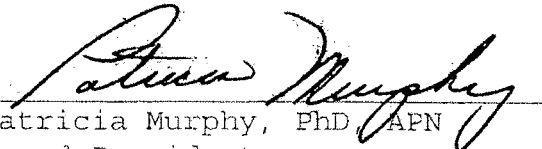
ACCORDINGLY, IT IS on this 10 day of February, 2015,  
ORDERED that:

1. A reprimand is hereby imposed for Respondent's  
violation of N.J.S.A. 45:1-21(f).

2. Respondent shall continue to participate in RAMP and  
the Order of Reinstatement of License filed on March 1, 2011,  
remains in full force and effect.

NEW JERSEY STATE BOARD OF NURSING

By:

  
Patricia Murphy, PhD, APN  
Board President